

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

BRUCE T. SPRAGLIN,
Plaintiff

V.

**COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,**
Defendant

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§
§

No. 5:08CV117

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections to the Report and Recommendation were filed. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

ORDERED that Commissioner's Agreed Motion to Reverse With Remand (Dkt. No. 16) is hereby **GRANTED**. It is further

ORDERED that Plaintiff's above-entitled and numbered civil action is **REVERSED and REMANDED** under the fourth sentence of the Social Security Act, 42 U.S.C. § 405(g), to the Commissioner of the Social Security Administration for further administrative proceedings before an Administrative Law Judge ("ALJ"). It is further

ORDERED that on remand an ALJ will obtain medical expert opinion regarding the severity

of Plaintiff's left-eye blindness and congenital deformities on the three fingers of Plaintiff's hands. The ALJ will also elicit new vocational expert testimony regarding the impact of all Plaintiff's impairments on his ability to perform work existing in the national economy. It is further

ORDERED that all motions not previously ruled on are **DENIED**, and the referral order is **VACATED**.

SIGNED this 24th day of August, 2009.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE